

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

TONY FOUNTAIN, #152 157

*

Plaintiff,

*

v.

*

2:06-CV-548-MHT

DR. PEASANT, *et al.*,

*

Defendants.

*

ORDER

Plaintiff, an inmate incarcerated at the Staton Correctional Facility in Elmore, Alabama, filed this 42 U.S.C. § 1983 action on June 20, 2006. Plaintiff submitted a motion for leave to proceed *in forma pauperis*. Upon review of the motion, the court finds that Plaintiff has not submitted any information regarding his inmate account.

Pursuant to the fee provisions of 28 U.S.C. § 1915(b)(1), the court requires Plaintiff to submit an inmate account statement reflecting the average monthly balance in his prison account and the average monthly deposits to his account for the 6-month period *immediately* preceding the filing of this complaint. Plaintiff, therefore, shall be granted additional time to provide the court with current information regarding his inmate account so the court may determine whether he should be allowed to proceed *in forma pauperis* in this cause of action.

Accordingly, it is ORDERED that:

1. On or before July 11, 2006 Plaintiff shall submit an inmate account statement

reflecting the average monthly balance in his prison account and the average monthly deposits to his account for the 6-month period *immediately* preceding the filing of the instant complaint. Plaintiff is cautioned that his failure to comply with this Order will result in a Recommendation by the undersigned that this case be dismissed; and

2. The Clerk shall SEND a copy of this order to the account clerk at the Staton Correctional Facility.

DONE, this 22nd day of June, 2006.

/s/ Susan Russ Walker
SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE